

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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Ashley T. Jones # 216506

Full name and prison number
of plaintiff(s)

v.

Warden Gladys Deese (Individual + Official
Capacity)

Deputy Warden Frank Albright (Individual +
Official Capacity)

CIVIL ACTION NO. 2:05cv731-F
(To be supplied by Clerk of
U.S. District Court)

Name of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court
dealing with the same or similar facts involved in this
action? YES () NO (X)
- B. Have you begun other lawsuits in state or federal court
relating to your imprisonment? YES () NO (X)
- C. If your answer to A or B is yes, describe each lawsuit
in the space below. (If there is more than one lawsuit,
describe the additional lawsuits on another piece of
paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if
state court, name the county) _____

3. Docket number _____
4. Name of judge to whom case was assigned _____
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
6. Approximate date of filing lawsuit _____
7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT Julia Tutwiler Prison for Women

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Julia Tutwiler Prison for Women

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. <u>Warden Gladys Deese</u>	<u>8966 U.S. Hwy. 231 Wetumpka, AL 36092</u>
2. <u>Deputy Warden Frank Albright</u>	<u>8966 U.S. Hwy. 231 Wetumpka, AL 36092</u>
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED May and June of 2005

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: Fourteenth Amendment Equal Protection clause - treated unfairly - discrimination - job assignment

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

- SEE Attached supporting Facts -

GROUND TWO: _____

SUPPORTING FACTS: _____

GROUND THREE: _____

SUPPORTING FACTS: _____

Plaintiff "Ashley Jones, pro se, for this complaint state as follows.

1. Defendant "Gladys Deese" is employed as Warden. Defendant "Frank Albright" is employed as Deputy Warden. Defendants is and was at all relevant times herein an employee of the prison.
2. This actoin arises under and is brought pursuant to 42 U.S.C. Section 1983 to remedy the deprivation, under color of state law, of rights guaranteed by the Fourteenth Amendments to the United States Consitution. This Court has jurisdiction over this acion pursuant to 28 U.S.C. Section 1331.
3. Plaintiff claims for injunctive relief are authorized by 28 U.S.C. Sections 2283 and 2284 and Rule 65 of the Federal Rules of Civil Procedure.
4. There is no prison grievance procedure in my institution, but I complained to prison wardens in May and June of 2005. The response to my requests and complaint by both defendants were never answered.
5. At all relevant times herein, defendants were "persons" for purposes of 42 U.S.C. Section 1983 and acted under color of law to deprive plaintiffs of her constitutional righs, by denying plaintiff access to Trade School because the plaintiff is a Life Without Parole inmate and female.
6. Per Ingram State Technical College State Board Policy 718.01, Life without Parole inmates are allowed to enroll in courses or programs at Alabama College System insitutions. The L.W.O.P's male inmates do attend Trade School. (see attached letter from Dean of Sutdents, James E. Wilson, Exhibit A)
7. Plaintiff is court ordered by her sentencing Judge to attend vocational training and take a trade. (see attached sentencing court order by Judge, Exhibit B)
8. In April 2005 plaintiff was assigned to Ingram State Technical College as her state job to be a tutor in Mr. Brock's G.E.D. class at th college. The defendants approved for the plaintiff to tutor at the college. (see attached letter from mr. Brock, G.E.D. teacher at the State College, Exhibit C)
9. During the month of May 2005, the plaintiff wrote three different requests to both defendants asking to be approved to take a course since she was already approved to be over at the college to tutor. Plaintiff requests was never answered.
10. On June 14, 2005 the defendant Deputy Warden Frank Albright stopped the plaintiff in the hall and informed plaintiff that the plaintiff was no longer allowed to tutor at the college. Warden Albright told plaintiff that the reason that he was pulling her was because she had been on her job to long. Plaintiff was assigned to another state job right there in the hall and was told by warden Albright to report to Office Mason in housekeeping. Warden Albirght did no follow D.O.C. rules and regulations and send plaintiff back through job board to be reassigned to a new job. (see attached D.O.C. rules an regulations policy in handling job assignments, Exhibit D)
11. Plaintiff had only been a tutor at Ingram State Technical College for only two (2) months and five (5) months as a tutor inside the institution a total of seven (7) short months in all. D.O.C. has no rule or regulation stating a inmate can only be on a state job for a long or short term. (see attached letters from inmates that have been on there jobs for years and not been pulled, Exhibit E. Also see attached statement from plaintiff of other inmates names that were scared to sign statements that have been on there job for a long time, Exbihit Ea)
12. Plaintiff wrote her Classification Officer and ask to attend Trade School. (see attached request form Classification officer answered, Exhibit G)
13. On reduction to medium custody, L.W.O.P's may be assigned to any work assignment or program. Ingram State Technical College is apart of the Perimeter of Tutwiler Prison. (see attached D.O.C. rules for L.W.O.P's programs and job assignments, Exhibit H)

14. On July 15, 2005 at 10:30am the defendant Warden Gladys Deese escorted the plaintiff to Captain Cynthia Wheeler office. In the outer office was Captain T. Hewlett, Holly Boyd and inmate Kaye Talley. Warden Gladys Deese questioned plaintiff about a so called petition the plaintiff was supposed to have about the L.W.O.P's going to trade school. The plaintiff informed Warden Deese that she did not a a petition of any kind. That I was working on a 1983 lawsuit because I was denied the right to attend trade school and pulled from my job at trade school becuase I had requested to both the defendants more then once ove the past month about taking a course at school. The only forms that I have was signed statements from different inmates to help me with my 1983 lawsuit, not a petition. Warden Deese said no L.W.O.P's inmates were allowed to attend trade school, that it was a security risk, and if I kept this up about a lawsuit that she would lock me up. I informend Warden Deese that I had a right to file a 1983 , and how could it be a security risk when she had approved for me to go and be a tutor in the same place she is now denying me to go and get a trade. I also stated I was willing to pay for my schooling and that I was court ordered by my sentencing Judge to attend. Warden Deese told me that no Judge would tell her what to do or how to run her prison and if she heard anymore from me about my filing a lawsuit that she would find a way to lock me up. This is clearly in violation of my constitution rights by threatening to lock me up for filing a 1983 lawsuit.

15. A few hours later on July 15, 2005 Captain C. Wheeler called me back to her office and told me that I was once again being pulled from yet another job and being assigned to another one. Captain C. Wheeler was ordered by Warden Deese to place me in the dorm as a laundry worker. Once again D.O.C. did not follow job board policy by sending me back through job board. Both defendants have used there power to keep me from a trade and pull me from my state jobs just because they can. Both defendants have made up a so called rule about being on a state job to long and there is nothing in writing stating that we inmates can only be on a job seven (7) months or any amount of time. (See atatched D.O.C. policy about job board, Exhibit D)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.
(UNDER 28 USCS 1746)

Ashley Jones 8/2/05
SIGNATURE DATE

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

- See Attached statement -

Ashley Jones
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true
and correct.

EXECUTED on 8/2/05
(Date)

Ashley Jones
Signature of plaintiff(s)

VI. STATE WHAT YOU WANT THE COURT TO DO FOR YOU.

16. Plaintiff request an order declaring that the defendants have acted in violation of the United States Constitution.

17. Plaintiff request an injunction compelling defendants to stop threatening and harrassing.

18. Plaintiff request the court to grant her the same right as L.W.O.P. male inmates and allow her to attend Trade School.

19. Plaintiff request to court to order warden Gladys Deese and Deputy warden Frank Albright to be held responsible for paying all tutition, fees and any special cost for plaintiff schooling because through the defendants actions of discrimination both have withheld plaintiff from completing a court order that could lead to a sentence review and release for the plaintiff.

Ashley Jones
NAME OF PLAINTIFF

I DECLARE UNDER PLENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Ashley Jones
PLAINTIFF SIGNATURE

8/2/05
DATE